



U.S. Immigration
and Customs
Enforcement

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News Release

Madisonville man gets 40 years for producing child pornography

Previously convicted for molesting a 9-year-old boy; produced child porn 3 years after release

LOUISVILLE, Ky. - A 24-year-old Madisonville man and convicted sexual predator was sentenced to 40 years in federal prison for violating child exploitation laws by possessing more than 8,000 images of child pornography, including images of a newborn baby. This significant sentence resulted from an investigation by U.S. Immigration and Customs Enforcement (ICE).

Timothy Wayne Brackett, of the 200 block of Reed Ave., Madisonville, Ky., was sentenced for numerous violations of federal child exploitation laws, according to an announcement by David L. Huber, U.S. Attorney for the Western District of Kentucky.

In addition to his 40-year prison term, Brackett was sentenced to supervised release for life following release from prison for 18 charges of violating federal child pornography laws. The charges included possessing, distributing, advertising and producing child pornography. The court also imposed a special penalty assessment of \$1,800. Brackett had previously pleaded guilty to the charges in January of this year.

This investigation showed that Brackett began producing child pornography less than three years after his release from the Kentucky Department of Juvenile Justice in September 2000 - during which time he underwent sex offender treatment. He was imprisoned after pleading guilty to committing first-degree sodomy on a 9-year-old boy. Evidence was also presented to the Court that Brackett had also produced child pornography in the Madisonville area with more than one child in 2004.

From a laptop seized from Brackett's bedroom, ICE agents found numerous images depicting children under 18 years old engaging in sexually explicit conduct. Some of the images showed Brackett sexually assaulting a boy under 12 years old. A computer forensic examination revealed more than 300 images of "homemade" child pornography - including numerous images of Brackett with a minor male child. Brackett used a digital camera to produce the child pornography images. Law enforcement officials identified two of the children depicted in the photographs taken by Brackett.

The Investigation

The case against Brackett began June 10, 2004. A detective with the Rockland County Sheriff's Department in New York, in an undercover capacity, accessed the Undernet IRC (Internet Relay Chat) Servers online to investigate individuals involved in the transmission and/or receipt of child pornography. The detective accessed a portion of the IRC that allows subscribers to enter chat rooms that cover various topics including sexual activity involving children and trading of pictures. While in a chat room titled "#100%Preteenboysexpix," the detective observed an individual using the name "Shakes" who was operating a File Server, also known as an Fserve.

Brackett operated the Fserve and possessed, transferred, and received child pornography. While operating the Fserve, Brackett caused the publication of an advertisement that was transmitted in interstate commerce, by computer, seeking and offering to receive, exchange, display, distribute, and reproduce, a visual depiction of a minor engaging in sexually explicit conduct. He caused the advertisements to be available on a continuing basis, and law enforcement observed the advertisement during specific days in June, July, August, and September 2004.

On June 10, 2004, the detective accessed the Fserve belonging to "Shakes" by typing a specific "trigger"/password -- that is, "!Young-Boys." The detective thereafter accessed the Fserve and downloaded approximately 19 files of child pornography. A number of the files depicted persons under 18 years of age engaging in sexually explicit conduct (child pornography).

Additionally, the detective viewed the statistics on the Fserve, which stated that it contained 3,151 files, had received 404 files, had sent 787 files, and had 65 visits. Brackett placed the advertisement for the Fserve, possessed the images of child pornography held in the Fserve, and distributed images of child pornography through the Fserve on or about June 10, 2004, from his computer in Madisonville.

On Oct. 26, 2004, ICE agents executed a federal search on Brackett's Madisonville home and seized one lap top computer, computer accessories, digital camera, storage media, and other related items from a bedroom.

ICE computer forensic analysts were able to determine production dates and that the digital camera seized from Brackett's home was the same camera used to manufacture the images of child pornography.

Child Porn Images Seized

A forensic examination of Brackett's computer revealed that he possessed more than 8,000 images of child pornography (including videos and still images). According to evidence presented to the Court during the sentencing hearing, some of the child pornography images in Brackett's collection involved babies, including a newborn with her umbilical cord still attached. One of the video files, entitled "s00_andy2.mpg," with a playing time of 4:05 minutes, shows a boy wearing only boxer shorts bound between two trees in a wooded area. Another pornographic video file, entitled "steviebondage.mpg," with a playing time of 10 seconds, shows a male child bound to a chair.

In addition to the computer-related evidence, ICE agents also seized other items from Brackett's residence that showed his sexual interest in children. For example, they found a handwritten list of computer sites, including a reference to 100%preteeboysexpics, a handwritten form for eliciting information regarding the type of pornographic pictures a person wants, handwritten papers entitled "Adoption," regarding Brackett's plans to adopt a young male child, a handwritten document entitled "Measurements," detailing measurement information for children's body parts, a handwritten document entitled "Chemicals," which included a notation of what to do to make someone go to sleep. Law enforcement officials also found a typed list of names of children to photograph.

Asst. U.S. Attorney Jo E. Lawless prosecuted the case. ICE was assisted in the investigation by the Rockland County Sheriff's Department, in New City, New York; the Kentucky State Police; and the Madisonville Police Department.

The investigation into Brackett was part of ICE's Operation Predator, an ongoing ICE enforcement initiative to identify, investigate, arrest and, in the case of foreign nationals, deport child sex predators. Since the initiative began in July 2003, ICE agents have arrested more than 7,900 individuals nationwide.

ICE

U.S. Immigration and Customs Enforcement (ICE) was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of four integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.